

July 17, 2007 CPC



STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

07SN0361

Robert C. Sowers  
and  
Douglas and Susan Sowers

Matoaca Magisterial District

Watkins Elementary, Midlothian Middle  
and Midlothian High Schools Attendance Zones  
West line of Otterdale Road

REQUEST: Rezoning from Agricultural (A) to Residential (R-12) plus Conditional Use Planned Development to permit exceptions to Ordinance requirements.

PROPOSED LAND USE:

A mixture of residential uses to include single family and cluster homes along with supporting recreational uses is proposed. The applicant has agreed to limit development to a density of 2.0 dwelling units per acre yielding approximately fifty-two (52) dwelling units. (Proffered Condition 5)

RECOMMENDATION

Recommend approval subject to the applicant addressing the transportation concerns stated herein. This recommendation is made for the following reasons:

- A. While the proposed zoning and land uses conform to the Upper Swift Creek Plan which suggests the property is appropriate for single family residential use of 2.0 units per acre or less, the application fails to address the transportation impacts.
- B. The proffered conditions adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries

and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

- (NOTES: A. CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS.
- B. IT SHOULD BE NOTED THAT AN ADDITIONAL PROFFERED CONDITION WAS NOT SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE SUGGESTED PRACTICES AND PROCEDURES. THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IS THE COMMISSION, STAFF AND MEMBERS OF AFFECTED NEIGHBORHOOD(S) HAVE NOT HAD AN OPPORTUNITY TO REVIEW THESE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO REVIEW THIS ADDITIONAL PROFFERED CONDITION.)

#### PROFFERED CONDITIONS

The Owner-Applicant in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of the property known as Chesterfield County Tax IDs 713-691-1673, 713-691-8928 and 714-690-1660 (the "Property") under consideration will be developed according to the attached Textual Statement and the following conditions if, and only if, the rezoning requests for R-12 as set forth in the above heading and the application filed herein is granted. In the event the request is denied or approved with conditions not agreed to by the Owner-Applicant, these proffers and conditions shall be immediately null and void and of no further force or effect.

1. Timbering. Except for the timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved erosion devices have been installed. (EE)
2. Utilities. Public water and wastewater shall be used. (U)
3. Cash Proffer. The applicant, subdivider, or assignee(s) (the "Applicant") shall pay the following to the County of Chesterfield prior to the issuance of a building permit for each dwelling unit for infrastructure improvements within the service district for the property:

- a. \$15,600 per dwelling unit if paid prior to July 1, 2007. At the time of payment, the \$15,600 will be allocated pro-rata among the facility costs as follows: \$5,331 for schools, \$602 for parks and recreation, \$348 for library facilities, \$8,915 for roads, and \$404 for fire stations; or
- b. The amount approved by the Board of Supervisors not to exceed \$15,600 per dwelling unit prorated as set forth above and adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2007.
- c. If, upon the mutual agreement of the Transportation Department and the Applicant, the Applicant provides road improvements (the "Improvements"), other than the improvements identified in proffered condition 4 as set forth below, then the transportation component in this Proffered Condition shall be reduced by an amount not to exceed the cost to construct the Improvements so long as the cost is of equal or greater value than that which would have been collected through the payment(s) of the road component of the cash proffer as determined by the Transportation Department. Once the sum total amount of the cash proffer credit exceeds the cost of the Improvements, as determined by the Transportation Department, thereafter the Applicant shall commence paying the cash proffer as set forth in this Proffered Condition as adjusted for the credit. For the purposes of this proffer, the costs, as approved by the Transportation Department, shall include, but not be limited to, the cost of right-of-way acquisition, engineering costs, costs of relocating utilities and actual costs of construction (including labor, materials, and overhead) ("Work"). Before any Work is performed, the Applicant shall receive prior written approval by the Transportation Department for the Improvements and any credit amount.
- d. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (B&M and T)

4. Transportation.

- a. In conjunction with the recordation of the initial subdivision plat or within ninety (90) days of a written request by the County, whichever occurs first, forty five (45) feet of right-of-way of Otterdale Road, measured from the centerline of that part of Otterdale Road immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County.
- b. Direct vehicular access from the property to Otterdale Road shall be limited to one (1) public road. The exact location of this public road shall be approved by the Transportation Department.

- c. In conjunction with development of the initial section, the developer shall be responsible for the following improvements:
    - (i) Construction of additional pavement along Otterdale Road at the public road intersection to provide left and right turn lanes;
    - (ii) Widening/improving the side of Otterdale Road immediately adjacent to the property to an eleven (11) foot wide travel lane, measured from the centerline of the road, with an additional one (1) foot wide paved shoulder plus a seven (7) foot wide unpaved shoulder, and overlaying the full width of the road with one and a half (1.5) inch of compacted bituminous asphalt concrete, with any modifications approved by the Transportation Department, for the entire property frontage; and,
  - d. Dedication, free and unrestricted, to and for the benefit of Chesterfield County, of any additional right-of-way (or easements) required or these improvements. In the event the developer is unable to acquire any “off site” right-of-way that is necessary for any improvement described in 4(c), the developer may request, in writing, that the County acquire such right-of-way as a public road improvement. All costs associated with the acquisition of the right-of-way shall be borne by the developer. In the event the County chooses not to assist the developer in acquisition of the “off-site” right-of-way, the developer shall be relieved of the obligation to acquire the “off-site” right-of-way and shall provide the road improvements within available right-of-way as determined by the Transportation Department. (T)
5. Density. The total number of residential dwelling units on the Property shall not exceed 2.0 dwelling units per acre. (P)

#### GENERAL INFORMATION

##### Location:

Fronts the west line of Otterdale Road, north of Genito Road. Tax IDs 713-691-1673 and 8928; and 714-690-1660.

##### Existing Zoning:

A

##### Size:

26.2 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North, South and West – A; Single family residential on acreage parcels or vacant  
East - A and R-9; Single family residential or vacant

UTILITIES

Public Water System:

This site is within the area planned for being part of the Clover Hill Pressure Zone. The closest existing water line in this zone is a sixteen (16) inch line in Otterdale Road that terminates approximately 2,600 feet south of this site. Water service for this development will need to come by way of an extension of the public water system from the east and/or south of this site. Tentative Plans have been approved for extending a sixteen (16) inch water line along Otterdale Road in conjunction with the development of “Cambria” subdivision. This extension will terminate at their northern most property boundary, approximately 415 feet south of this site. From the east, Section 1 of “Rountrey” extended a sixteen (16) inch water line along North Woolridge Road from the existing line at Water Mill Parkway. Future plans call for extending with the “Runtrey” development a sixteen (16) inch water line from North Woolridge Road to Otterdale Road. Further extension of this water line is proposed with the development of “Tinsdale” subdivision to be located on parcel GPIN: 7146927432 north of this site. With “Tinsdale”, a sixteen (16) inch line will be extended along their frontage with Otterdale Road and when completed will terminate approximately 700 feet north of this site.

Use of the public water system is recommended by the Upper Swift Creek Plan. The applicant has proffered to use the public water system (Proffered Condition 2). In conjunction with development, extension of a sixteen (16) inch water line will be required along the frontage with Otterdale Road. Per Utilities Department Design Specifications (DS-21), wherever possible, two (2) supply points shall be provided for subdivisions containing more than 25 lots. To provide the two (2) supply points, tie-ins to the sixteen (16) inch water lines proposed with the “Tinsdale” development and the “Cambria” development may be required.

Public Wastewater System:

There is an existing fifty-four (54) inch wastewater trunk line extending along the north side of Genito Road approximately 7,000 feet southeast of this site. Construction is underway to extend a forty-two (42) inch wastewater trunk line along Swift Creek and Nelsons Branch to serve the Hallsley Development. When completed this trunk line will be approximately 100 feet south of the southern boundary of this site. Plans have been submitted for approval to extend an eight (8) inch wastewater line from the forty-two (42)

inch trunk line across the request site to serve the “Tinsdale” development. Use of the public wastewater system is recommended by the Upper Swift Creek Plan. The applicant has proffered to use the public wastewater system (Proffered Condition 2).

## ENVIRONMENTAL

### Drainage and Erosion:

The subject property is adjacent to Swift Creek. There are no known on- or off-site drainage or erosion problems and none are anticipated after development. The property is mostly wooded and, as such, should not be timbered without obtaining a land disturbance permit from the Department of Environmental Engineering and the appropriate devices being installed. (Proffered Condition 1)

### Water Quality:

As noted above, Swift Creek is adjacent to the request property. Swift Creek is a perennial stream and, as such, is subject to a 100-foot conservation buffer inside of which uses are very limited.

The two (2) smaller parcels (approximately 9.5 acres of the 26.2 acre request) adjacent to Swift Creek are 100 percent within the floodplain, RPA or wetlands. The larger parcel (the remaining approximately 16.7 acres) is crossed by two streams which show signs of being perennial in nature. A perennial flow determination will need to be submitted and approved by the Water Quality Section prior to submitting any tentative plan.

## PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. The residential portion of this development will have an impact on these facilities.

### Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy-eight (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six (6) new stations, the Plan also recommends the expansion of five (5) existing stations.

Based on forty-seven (52) dwelling units, this request will generate approximately five (5) calls for fire and emergency medical service each year. The applicant has addressed the impact on fire and EMS. (Proffered Condition 3)

The Swift Creek Fire Station, Company 16 currently provides fire protection and emergency medical service. When the property is developed, the number of hydrants,

quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

#### Schools:

Approximately twenty-eight (28) (Elementary: 12, Middle: 7, High: 9) students will be generated by this development. Currently this site lies in Watkins Elementary School attendance zone: capacity - 752, enrollment - 743; Midlothian Middle School: capacity - 1,301, enrollment - 1,424; and Midlothian High School: capacity - 1,589, enrollment - 1,520. The enrollment is based on September 29, 2006 and the capacity is as of 2006-2007.

This request will have an impact at the middle school level. There are currently eight (8) trailers at Watkins Elementary, ten (10) trailers at Midlothian Middle.

The current CIP and Public Facilities Plan contain no new facilities in this area. Increased capacity for this area will be provided by additions to these schools by 2012. This case combined with other residential developments and zoning cases in the area, will continue to push these schools over capacity, necessitating some form of additional relief in the future.

The applicant has addressed the impact of the development of schools. (Proffered Condition 3)

#### Libraries:

Consistent with Board of Supervisors policy, the impact of development on library services is assessed countywide. Based on projected population growth, The Chesterfield County Public Facilities Plan (2004) identifies a need for additional library space throughout the County. Development in this area of the county would most likely impact either the existing Midlothian Library or the Clover Hill Library. The 2004 Public Facilities Plan indicates a need for additional library space in this area of the County and identifies the need for two new facilities, one in the vicinity of Powhite and Genito and one in the vicinity of Winterpock and Beach. The applicant has offered measures to assist in addressing the impact of this development on library facilities. (Proffered Condition 3)

#### Parks and Recreation:

The Public Facilities Plan identifies the need for 3 regional, 7 community and 29 neighborhood parks by 2020. In addition, there is currently a shortage of community and neighborhood park acreage in the county. The Public Facilities Plan identifies a need for 354 acres of regional park space, 252 acres of community park space and 199 acres of neighborhood park space by 2020. The Plan also identifies the need for linear parks and resource based-special purpose parks [historical, cultural and environmental] and makes suggestions for their locations. The Plan also addresses the need for addition of

recreational facilities to include sports fields, trails, playgrounds, court games, senior centers and picnicking area/shelters at existing parks to complete build-out. The Plan also identifies the need for water access and trails along the James and Appomattox Rivers and their major tributaries, Swift and Falling Creeks. Co-location with middle and elementary schools is desired. The applicant has offered measures to address the impact of this proposed development on the infrastructure needs of Parks and Recreation. (Proffered Condition 3)

#### Transportation:

The property is located on the west side of Otterdale Road north of the Genito Road intersection. The applicant is requesting rezoning from Agricultural (A) to Residential (R-12) with a Conditional Use Planned Development. Based on single-family trip rates, development of the property could generate approximately 520 average daily trips (ADT). These vehicles will initially be distributed along Otterdale Road, which had a 2006 traffic count of 1,000 ADT. Based on the volume of traffic it carried during peak hours, Otterdale Road was functioning at an acceptable level (Level of Service B); however, sections of Otterdale Road, specifically the area south of Genito Road, have little or no shoulders, fixed objects adjacent to the edge of pavement, and extremely poor vertical and horizontal alignments. The safety of this corridor should be addressed before it is directly impacted by additional development. The applicant should commit to address the traffic impact of this request before the property is developed. Without a commitment to address the traffic impact of this request before development of the property occurs, the Transportation Department cannot support this request.

The Thoroughfare Plan identifies Otterdale Road as a major arterial with a recommended right of way width of ninety (90) feet. The applicant has proffered to dedicate forty-five (45) feet of right of way on the west side of Otterdale Road, measured from the centerline, in accordance with this recommendation. (Proffered Condition 4.a)

Access to major arterials, such as Otterdale Road, should be controlled. The applicant has proffered that direct vehicular access from the property to Otterdale Road will be limited to one (1) public road. (Proffered Condition 4.b)

The traffic impact of this development must be addressed. The applicant has proffered to construct right and left turn lanes along Otterdale Road at the public road intersection, improve Otterdale Road for the entire property frontage, and dedicate any additional right of way required for these improvements (Proffered Condition 4.c). In order to provide the turn lanes along Otterdale Road, off-site right-of-way may have to be acquired from adjacent properties. According to Proffered Condition 4.c.iii, if the developer needs off-site right-of-way for construction of the turn lanes, and is unable to acquire it, the developer may request the county to acquire the right-of-way as a public road improvement. If the county chooses not to assist with the right-of-way acquisition, the developer will not be obligated to acquire the off-site right-of-way and will only be obligated to construct road improvements within available right-of-way. Construction of



the left turn lane may require modification to the existing structure that conveys Swift Creek under Otterdale Road.

Sight distance is limited when looking to the north from the property due to the vertical alignment of Otterdale Road. The developer may have to construct additional improvements to Otterdale Road in order to provide adequate sight distance.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. Traffic generated by this development will travel along sections of Otterdale Road that are in extremely poor condition. The applicant has proffered to contribute cash, in an amount consistent with the Board of Supervisors' Policy, towards mitigating the traffic impact of this development (Proffered Condition 3). Cash proffers alone will not cover the cost of the road improvements needed in this area. There are no projects in this area currently included in the VDOT Six-Year Improvement Program. The county has a project to improve sight distance at the intersection of Genito Road and Otterdale Road and provide some shoulder improvements along Genito Road. Survey is complete and preliminary design is underway. Construction is anticipated in Spring 2008.

Without a commitment to address the traffic impact of this proposed development on Otterdale Road before the development occurs, the Transportation Department cannot support this request.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	52*	1.00
Population Increase	141.44	2.72
Number of New Students		
Elementary	12.12	0.23
Middle	6.76	0.13
High	8.79	0.17
TOTAL	27.66	0.53
Net Cost for Schools	\$278,096	\$5,348
Net Cost for Parks	31,408	604
Net Cost for Libraries	18,148	349
Net Cost for Fire Stations	21,060	405
Average Net Cost for Roads	464,984	8,942
TOTAL NET COST	\$813,696	\$15,648

\* Based on a proffered maximum yield of 2 dwelling units per acre (Proffered Condition 5). The actual number of dwelling units and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries, and fire stations at \$15,648 per unit. The applicant has been advised that a maximum proffer of \$15,600 per unit would defray the cost of the capital facilities necessitated by this proposed development. Consistent with the Board of Supervisors' policy, and proffers accepted from other applicants, the applicant has offered cash with the option for the County to accept road improvements in lieu of cash for the road component of the cash proffer to assist in defraying the cost of this proposed zoning on such capital facilities. (Proffered Condition 3)

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Upper Swift Creek Plan which suggests the property is appropriate for single family residential use of 2.0 units per acre or less. The Plan is currently being revised. The draft Plan, as recommended by the Planning Department, is consistent with the aforementioned recommendation of the current Plan for this property.

### Area Development Trends:

Surrounding properties to the north, south and west are zoned Agricultural (A) and are occupied by single family residential uses on larger acreage parcels or are vacant. Properties to the east are zoned Agricultural (A) and Residential (R-9) and are occupied by single family residential use on larger acreage parcels or are vacant. It is anticipated that residential development will continue in this area at densities suggested by the Plan.

### Site Design:

The 26.2 acre tract proposed for R-12 zoning may be developed for cluster homes and/or single family residential uses, all of which are discussed in further detail herein. If the property is developed for more than one (1) dwelling type, the Textual Statement requires the submission of a conceptual plan to either the Planning Commission or Planning Department for approval. At the time of review of a conceptual plan, conditions may be imposed to insure land use compatibility and transition. (Textual Statement A)

### Density:

A maximum of 2.0 dwelling units per acre has been proffered, yielding an overall maximum of 328 dwelling units. (Proffered Condition 5)

### Dwelling Types:

As previously noted, single family dwellings and cluster homes are proposed. These uses will be developed as follows:

#### Cluster Homes:

Cluster homes are proposed on individual lots having a minimum of 6,000 square feet. The density for any cluster development would be limited to six (6) units per acre. Other standards include setbacks, provision of sidewalks, buffers, focal point, street trees and paved driveways. (Textual Statement B.1.)

The requirements offered for cluster projects are consistent with those typically required by the Commission and Board on similar projects recently approved.

#### Single Family Residential:

Single family residential uses would be required to be developed in accordance with Ordinance requirements for Residential (R-12) Districts (Textual Statement B.2.). The minimum lot size would be 12,000 square feet. Conditions address minimum dwelling sizes. (Textual Statement B.2.a.)

### Recreation Areas and Open Space:

The Textual Statement provides that, at the election of the developer, active and passive recreational areas may be provided throughout the development and provides restrictions to minimize the impact of these recreational uses on surrounding residential uses. (Textual Statement 3)

Within each cluster home development, a minimum of .75 acres of open space would be located as a focal point (Textual Statement b.1.H.). Also, within the cluster home developments, where lot areas are reduced below the minimum 12,000 square feet, the Ordinance will require that comparable amount of square footage be placed in open space.

### CONCLUSION

While the proposed zoning and land uses conform to the Upper Swift Creek Plan which suggests the property is appropriate for single family residential use of 2.0 units per acre or less the application fails to address the transportation impacts.

The proffered conditions adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

Given these considerations, approval of this request is recommended subject to addressing the transportation impacts.

## TEXTUAL STATEMENT

May 14, 2007

This is a request to rezone 26.2 acres of the Property under consideration to R-12 with a Conditional Use Planned Development (CUPD) that will permit development of a mixed use, planned community including single family residences and cluster homes. Except as qualified herein, uses permitted in the Residential (R- 12) District and active and passive recreation uses shall be permitted throughout the property. In addition, the following uses, as more fully defined below, shall also be permitted:

### A. General Requirements Applicable to All Uses

Mixing of Uses. Within the Property there shall be no “mixing” of uses (e.g., if the Property is to be developed for cluster homes, all of the Property shall be developed as cluster homes, or if the Property is developed for Residential (R-12) uses, all of the Property shall be developed for Residential (R-12) uses). Provided, however, the mixing of uses may be permitted if a conceptual plan is submitted for review and approval and the conceptual plan addresses land use transitions and compatibility between uses within the Property itself as well as with adjacent properties. Land use compatibility and transitions may include, but not necessarily be limited to, the exact location of uses, buffers, and site design. Such conceptual plans shall be approved by either the Planning Department or Planning Commission, at the election of the developer, and such review shall be subject to appeal in accordance the provisions of the Zoning Ordinance for site plan approval.

### B. Requirements for Specific Uses

#### 1. Cluster Homes

Single family detached cluster homes shall meet the following requirements:

- a) Lot Size. Each lot shall have an area of not less than six thousand (6,000) square feet and a lot width of not less than fifty (50) feet.
- b) Density. The overall density within each tract or part of a tract containing cluster homes

shall not exceed six (6) units per gross acre.

- c) Front, Corner, Side and Rear Yard~. For principal structures, front corner side and rear yards shall have a minimum depth of twenty-five (25) feet. Accessory structures shall have a twenty-five (25) foot front yard setback but no rear yard setback.
- d) Side Yards Principal structures shall be located a minimum of five (5) feet from side property lines, however, if the overall intent of providing visual separation and clustering is achieved for the cluster home development, the Planning Commission, at time of tentative subdivision review, may approve exceptions to these side yard requirements. Accessory structures shall have no side yard setback. The tentative subdivision, final check, and record plats shall identify the specific setback criteria for each lot.
- e) Sidewalks Sidewalks shall be provided that facilitate pedestrian access within the Development, to the recreational areas serving the development, and to the overall project. The exact location and design of the sidewalks shall be determined by the County at the time of tentative subdivision review; provided, however, that, unless otherwise approved by the Planning Commission at time of subdivision review upon a determination that an alternative system will accomplish the spirit and intent of this requirement, sidewalks shall be installed on those portions of both sides of a public street where cluster homes front.
- f) Buffers Required buffers along roads shall be located within recorded open spaces.
- g) Paved Driveways All dwelling units shall have paved driveways. The exact treatment shall be approved at the time of tentative subdivision plan review.
- h) Focal Point. A minimum of 0.75 acres of open space shall be located and positioned to provide a “focal point” as one enters each cluster home development. Part of this area shall be landscaped and have benches and other amenities that accommodate and facilitate outdoor gatherings. This area shall be developed concurrently with the development of the first phase of each cluster home development, and its exact design and location shall be approved at the time of tentative subdivision review.
- i) Garages. Front loaded garages shall be located no closer to the street than the front façade of the dwelling unit.
- k) Street Trees. Street trees shall be planted or retained along each side of all public roads where sidewalks are provided.

## 2. Residential (R-12)

All dwellings other than Cluster Homes shall meet the requirements of the Residential

(R-12) District as well as the following requirements:

- a) Minimum Square Footage for Single Family Dwellings. With the exception of Cluster Homes, the minimum gross floor area for single family detached homes shall be as follows:

1 story	1,700 square feet;
More than 1 story	2,000 square feet.

3. Recreation Areas At the election of the developer, active and passive recreation areas may be provided. Such recreation areas shall be subject to the following requirements:

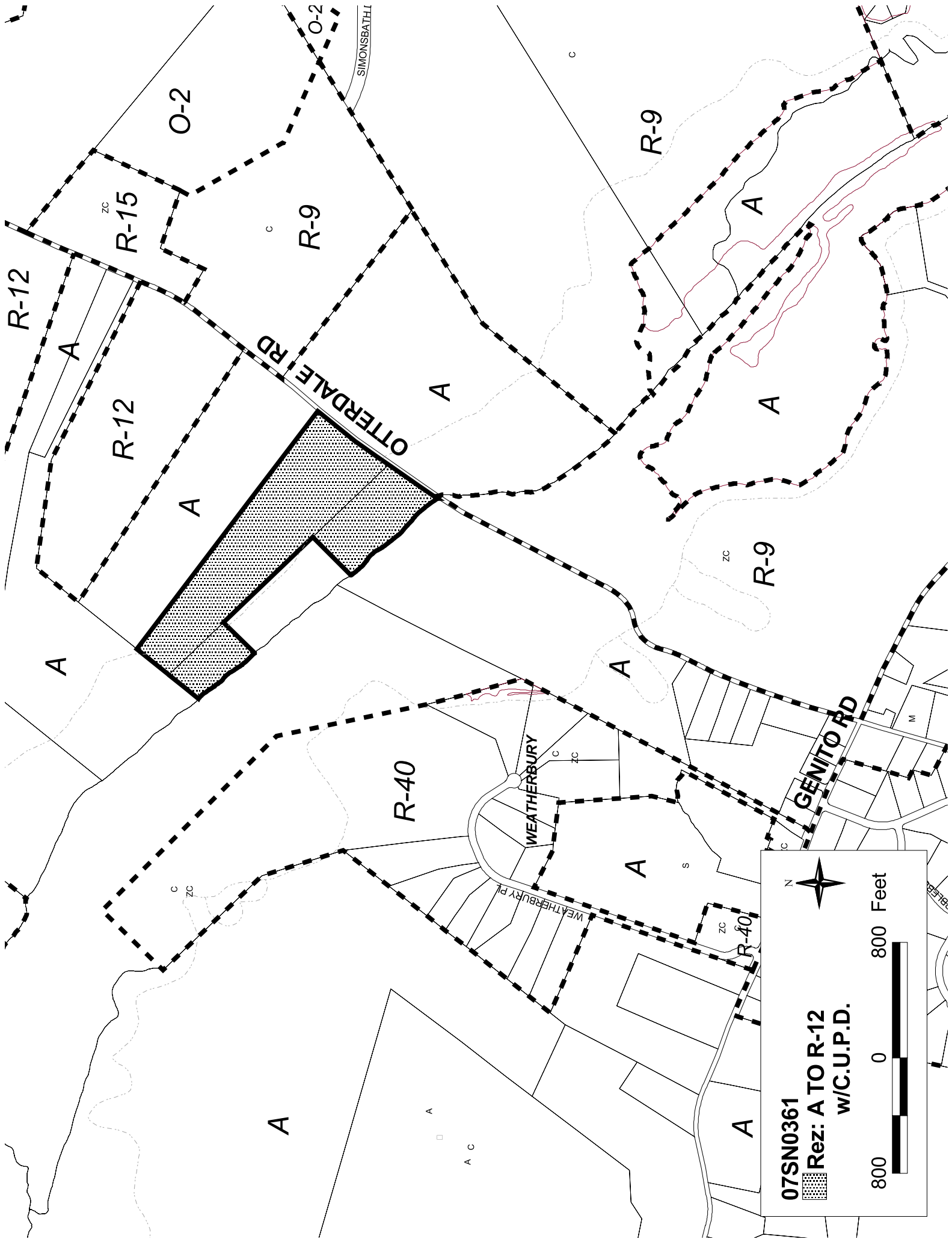
- (i) With the exception of playground areas which accommodate swings, jungle gyms, or similar facilities and tennis courts, all outdoor play fields, swimming pools and similar active recreational areas shall be located a minimum of one hundred (100) feet from adjacent properties zoned or designated on the County's Comprehensive Plan for residential use, a minimum of one hundred (100) feet from any existing or proposed single family residential lot line, and a minimum of fifty (50) feet from any existing or proposed road.
- (ii) Within the one hundred (100) and fifty (50) foot setbacks, a fifty (50) foot buffer shall be provided along the perimeter of all active recreational facilities except where adjacent to any existing or proposed road. This buffer shall conform to the requirements of the Zoning Ordinance for fifty (50) foot buffers.
- (iii) Any playground areas (i.e. areas accommodating swings, jungle gyms or similar such facilities) and tennis courts shall be located a minimum of forty (40) feet from all property lines. A forty (40) foot buffer shall be provided along the perimeter of these recreational facilities except where adjacent to any existing or proposed roads. This buffer shall conform to the requirements of the Zoning Ordinance for fifty (50) foot buffers.
- (iv) Nothing within this condition shall prevent development of indoor facilities and/or parking within the one hundred (100) foot setback.
- (v) There shall be no outside public address system or speakers.

- (vi) The maximum exterior lighting for recreational uses shall comply with Section 19-508.3 of the Zoning Ordinance.
- (vii) The location of all active recreational uses shall be identified in conjunction with the submittal of the first tentative subdivision plan.
- (viii) In conjunction with the recordation of any lot adjacent to active recreational area(s), such area(s) shall be identified on the record plat along with the proposed recreational uses and required conditions.

---

Carrie E. Coyner, Agent





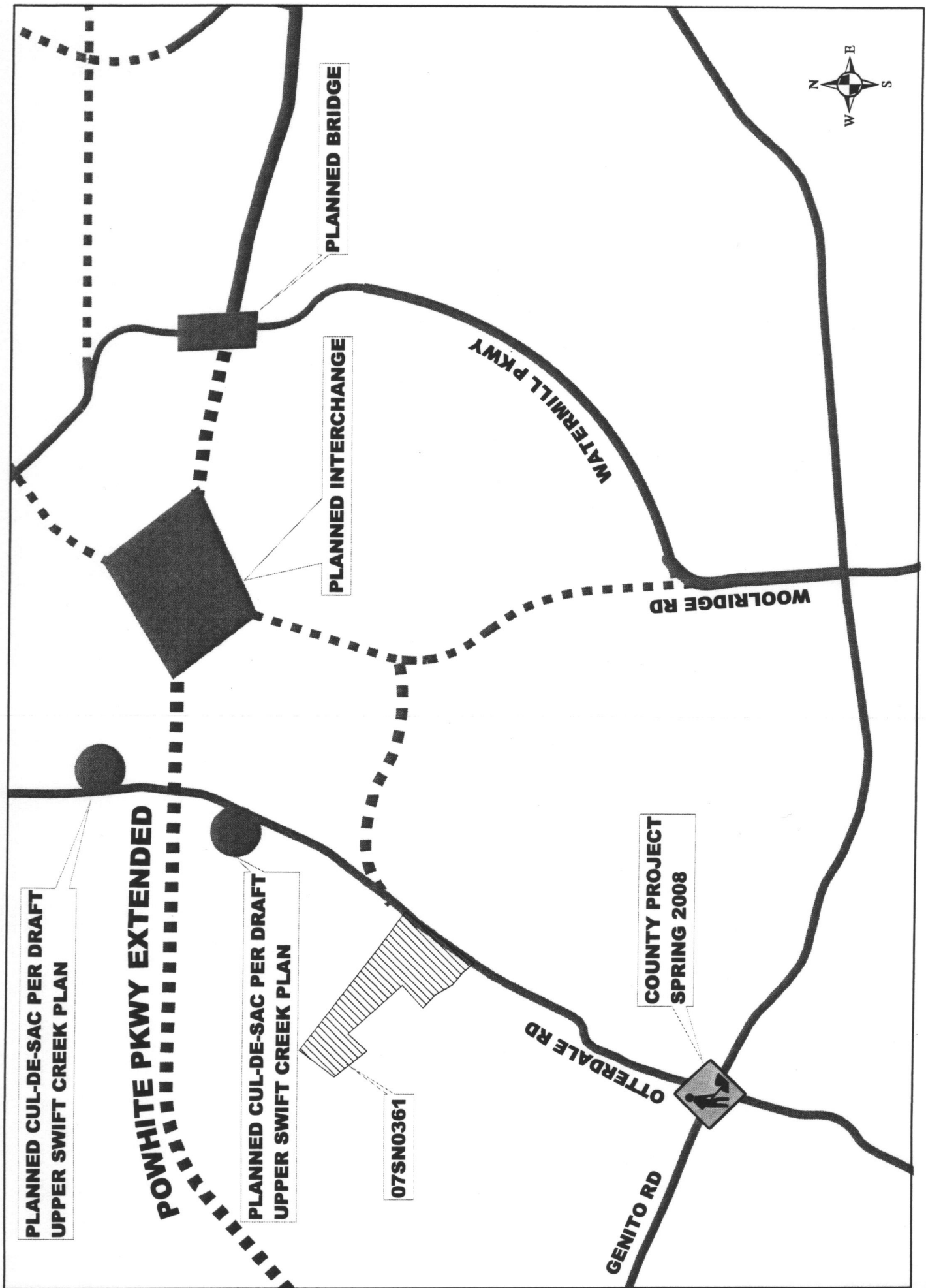
07SN0361

Rez: A TO R-12  
w/C.U.P.D.



800 0 800 Feet

This page is blank.



**AREA ROAD NETWORK - 07SN0361**

07/06/2007

07SN0361-1